

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Stephen Levi Wilson,

Plaintiff,

v.

Case No. 2:21-cv-1438

Fayette County Jail, et al.,

Defendants.

ORDER

This is a civil rights action filed by plaintiff Stephen Levi Wilson, a pro se prisoner, against the Fayette County Jail. Plaintiff alleged in his complaint that he was placed in a cell with inmates who were positive for COVID-19 and that he contracted COVID-19 as a result. On March 31, 2021, plaintiff filed a motion for leave to proceed in forma pauperis. On April 2, 2021, the clerk's office issued a deficiency notice advising plaintiff that he was required to submit a copy of his trust fund statement containing the last six months of activity, and that this information was due within thirty days. On May 17, 2021, the magistrate judge issued an order directing plaintiff to file his trust fund account statement within thirty days. The order advised plaintiff that his failure to do so would result in the dismissal of this action for failure to prosecute. Plaintiff did not comply with the magistrate judge's order. On June 29, 2021, the magistrate judge issued a report and recommendation recommending that plaintiff be ordered to pay the full filing fee of \$402.00, and that the action be dismissed without prejudice. None of the mailings to plaintiff have been returned as undelivered.

The report and recommendation advised the parties that the

failure to file objections to the report and recommendation within fourteen days would result in a waiver of the right to de novo review by the district judge and a waiver of the right to appeal the judgment of the district court. The time period for filing objections has expired, and no objections have been filed.

The court agrees with the recommendation of the magistrate judge, and hereby adopts the report and recommendation (Doc. 4). Plaintiff's motion for leave to proceed in forma pauperis (Doc. 1) is denied. This action is dismissed without prejudice for want of prosecution.

Date: July 21, 2021

s/James L. Graham
James L. Graham
United States District Judge